

COMPLAINTS POLICY

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Related policies	<p>Disciplinary Policy</p> <p>Whistleblowing Policy (for Employees)</p> <p>Whistleblowing Policy (for Non-employees)</p> <p>Safeguarding Policy</p> <p>Fundraising Complaints Procedure</p> <p>Customer Service Standards Policy</p> <p>Data Protection Policy</p> <p>Volunteer Complaints Policy</p> <p>Members' Code of Conduct*</p> <p>Members' Code of Conduct Administrative Procedures*</p>
Prepared by	Director of Governance & Risk
Approved by	Council

* Not yet issued



Complaints Policy

1. Introduction

1.1. The RAF Association (the Association) is committed to providing excellent services in a professional and ethical manner in full accordance with our values of being honest and open, showing respect and trust. We will treat all people and issues with fairness and equality, being supportive, responsive and meeting the needs of our beneficiaries and members. We aim to achieve the highest levels of satisfaction.

1.2. The Association views complaints as an opportunity to learn and improve for the future, as well as a chance to put things right for the person or organisation that has made the complaint.

1.3. Our policy is to:

- Provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint;
- Publicise the existence of our complaints procedure so that people know how to contact us to make a complaint;
- Gather information which helps us to improve what we do; and
- Make sure:
 - Everyone at Association knows what to do if a complaint is received;
 - All complaints are investigated fairly and in a timely way;
 - Complaints are, wherever possible, resolved and that relationships are repaired.

2. Scope of Policy

2.1. A complaint is a formal written expression of dissatisfaction, whether justified or not, about any aspect of Association, the services it provides, or the act, omission, behaviour or conduct of any individual associated with the Association.

2.2. Any person or organisation who has a legitimate interest in the Association may make a complaint.

2.3. A complaint can be made electronically. If a complaint is made verbally or via social media it will be followed up in writing or by email.

2.4. This policy does not cover complaints from employees about other employees, who should use the Association Disciplinary and Grievance policies.

2.5. Complaints about fundraising will be handled in accordance with the Association's specific Fundraising Complaints Procedure.

3. Confidentiality

- 3.1. All complaints and information relating to a complaint and its investigation will be handled sensitively, telling only those who need to know and following any relevant data protection requirements.

4. Responsibility

- 4.1. Overall responsibility for this policy and its implementation lies with the Council who are the Board of Trustees.
- 4.2. The Rules and Byelaws of the Association require complaints against any employee, volunteer, member, committee, Area, Region, Branch or Branch Club to be handled in accordance with procedures authorised by Council and this policy sets out those procedures.

5. Making a Complaint

- 5.1. We ask that you give us the details of your complaint within three months of the incident, or within three months of you becoming aware of the problem as otherwise, it may not be possible investigate, fully, your complaint.
- 5.2. As we regard complaints as an opportunity to improve we will respond to complaints considerately, in a timely manner and as effectively as possible, but where a complaint is made outside the three month time period set out in paragraph 5.1 the Secretary General will take the following factors into account in determining whether or not it can be fairly and effectively investigated:-
 - 5.2.1. The reasons that a complaint was not submitted earlier;
 - 5.2.2. Whether the delay is likely to have prejudiced the Association's ability to carry out a fair investigation; and
 - 5.2.3. Any other relevant information.
- 5.3. Complaints should be clearly marked as 'Formal Complaint' and be sent to:

Secretary General
RAF Association
Atlas House
Wembley Road
Leicester
LE3 1UT

E-mail: SecGen@rafa.org.uk

- 5.4. Complaints about the Secretary General should be sent to the above address but marked for the attention of the Chairman of Council.

- 5.5. Complaints can be made on behalf of someone else but must be made with their full written consent or you must have a legally recognised power of attorney. This is to comply with data protection legislation. If their full written consent is not received within 28 working days of the original complaint date, your complaint will be closed due to consent not being given.
- 5.6. Complaints may be made on an anonymous basis, but this may impede any investigation. Anonymous complaints, which do not contain adequate information to support an investigation, will be logged but not investigated.
- 5.7. Where it is unclear whether a formal complaint is being made clarity will be sought from the individual; a copy of the Complaints Policy will be sent to them and they will be asked to confirm whether or not they wish to make a formal complaint or whether they are making a comment, observation or providing general feedback.

6. Responding to a complaint

- 6.1. Complaints will be logged upon receipt. The Director of Governance & Risk will maintain the Complaints Log.
- 6.2. Complaints will be acknowledged in writing by the Director of Governance and Risk the Association within five working days. The acknowledgement will identify the individual whom the Secretary General has instructed to investigate the complaint ("Investigating Officer") and provide an indication of when a full response will be given. The complainant will be advised of the timescales in paragraphs 6.4, 6.5 and 6.6 and provided with a copy of the Complaints Policy.
- 6.3. All relevant enquiries will be made to investigate the complaint. Where a complaint is made about an individual, that individual will be made aware that a complaint has been received, given a copy of the complaint (which may be anonymised taking into account any preference expressed by the complainant and data protection considerations) and that it is being investigated. The individual will be given an opportunity to respond as part of the investigation
- 6.4. The complaint will be investigated impartially and without unnecessary delay. As soon as possible, and in any event within 1 (one) month of receiving the complaint, the Investigating Officer will either:-
 - 6.4.1. conclude that the complaint is without foundation and advise the Secretary General; or
 - 6.4.2. uphold the complaint and recommend next steps to the Secretary General, which may include, without limitation, informal action/advice or the initiation of the Association's disciplinary policies and procedures.

- 6.5. If the investigation cannot be concluded within one month, the Investigating Officer will write to the complainant to advise when the investigation is likely to be concluded.
- 6.6. Within five working days of the conclusion of the investigation the Investigating Officer will write to the complainant to advise them of the steps taken to investigate the complaint, the conclusions from the investigation and any action taken as a result of the complaint ("the Outcome Letter"). Where, following the investigation, disciplinary proceedings are commenced against an individual the complainant will not be advised of specific details on the grounds of data protection.
- 6.7. Any internal action will not be taken until after the date of any potential review at paragraph 7 has passed.

7. Escalation Procedure

- 7.1. If the complainant feels that the problem has not been satisfactorily resolved following the conclusion of the investigation, they can request that the Secretary General reviews the complaint.
- 7.2. Any request for a review by the Secretary General should be made in writing within ten working days of receipt of the Outcome Letter. Any new relevant evidence may be presented at this time.
- 7.3. The Secretary General will review the original complaint, the action taken to investigate it, the conclusions reached by the Investigating Officer and any new relevant evidence.
- 7.4. The Secretary General will decide whether to uphold or overturn the original conclusion by the Investigating Officer and may instruct further investigations if considered necessary. The Secretary General's decision will be made within ten working days of receipt of the letter referred to in paragraph 7.2.
- 7.5. If the complainant is not satisfied with the decision of the Secretary General, they may request the Chair of Council review the complaint.
- 7.6. If the complaint is about the Secretary General and complainant is not satisfied with the action taken by the Chairman of Council, they may request that the President of the Association utilising the procedure and timescales set out in paragraphs 7.2 to 7.4 carry out a review. The President's determination will be final.

8. Vexatious/Malicious Complaints

- 8.1. The Association recognises the value of complaints as an opportunity to learn and improve in the delivery of its services. The Association will take all reasonable measures to resolve complaints to the satisfaction of the complainant but there are times when nothing further can be done to reasonably assist the complainant to rectify a real or perceived problem or their behaviour towards employees is unacceptably aggressive or rude, or complaints are made maliciously and without foundation. This can lead to significant time and resources being used in the management and investigation of complaints. In such circumstances, the Association reserves the right to categorise the complainant as a vexatious or malicious complainant.
- 8.2. The decision to assess an individual as a vexatious or malicious complainant will be taken by the Secretary General following consultation with the Chair of Council, the complainant will be advised in writing of the decision, and that no further correspondence will be entered into.
- 8.3. Where the Association continues to receive vexatious or malicious correspondence it may pass them to the relevant authorities and the Association may pursue appropriate action.
- 8.4. The Director can withdraw the vexatious/malicious assessment should the complainant demonstrate a more reasonable approach or submit a different complaint that the Association, acting reasonably, considers should be investigated under the Complaints Policy.

9. Complaints to External Bodies

- 9.1. A complaint can be made to the Charity Commission or any other regulatory body to which the Association is subject at any stage.